



# SB 1383 & Hunger Relief Nonprofits

Do you work for a food pantry, soup kitchen, shelter, or other hunger-relief organization that receives donated food from businesses?

A new state law, [SB 1383](#), may affect your work.



## What is SB 1383?

As part of an effort to reduce methane emissions, SB 1383 is a state law that establishes a statewide goal to reduce organic waste disposal by 75% by 2025.

Food generating businesses must donate the maximum amount of excess edible food.

Jurisdictions are required to implement a variety of programs to advance these goals. The California Department of Resources Recycling and Recovery (CalRecycle) has the ability to enforce on non-compliant jurisdictions.

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**How will SB 1383 affect hunger-relief organizations?**



## SB 1383 GOALS

BY 2025

↓ **75%**

**organic waste disposal**

**Food generating businesses must donate the maximum amount of excess edible food.**

### Looking for food donation support?

- Contact San Diego Food Bank  
Amanda Carson, [acarson@sandiegofoodbank.org](mailto:acarson@sandiegofoodbank.org)
- Contact Feeding San Diego  
Kate Garrett, [kgarrett@feedingsandiego.org](mailto:kgarrett@feedingsandiego.org)

### Have more questions about SB 1383 requirements and regulations in San Diego County?



- Contact San Diego County staff at [recycle@sdcounty.ca.gov](mailto:recycle@sdcounty.ca.gov)
- Visit the [County's webpage on Commercial Edible Food Recovery](#) to learn more

# How will SB 1383 affect hunger-relief organizations?



## 1) It will increase food donations from businesses.

Certain businesses that generate food (Tier One and Two businesses) will be required to start donating the maximum amount of surplus edible food fit for human consumption.

### TIER ONE BUSINESSES

Supermarkets, grocery stores, food service providers (e.g. Bon Appetit, Aramark), food distributors (e.g. Sysco), and wholesale vendors (e.g. Bimbo Bakeries)

On January 1, 2022, Tier One businesses must begin donating their surplus food.

### TIER TWO BUSINESSES

Large restaurants, hotels, health facilities, large venues, state agencies, and local education agencies

On January 1, 2024, Tier Two businesses must begin donating their surplus food.

#### NOTE

Tier One and Two businesses (food donors) are required to establish contracts or written agreements with food recovery organizations, and they must keep a copy of the contract or agreement onsite. Food donors partnered with a food bank may have already fulfilled this requirement.

## 2) It can increase support for your organization.

Jurisdictions must ensure that there is enough food recovery capacity for the Tier One and Two businesses mentioned above. To do this, cities must survey food pantries, shelters, and other organizations currently accepting food donations from businesses to understand their current ability and physical space to accept additional food and provide support to expand capacity if needed.

## 3) Food recovery organizations will be subject to new requirements.

Food recovery organizations must maintain records of food they receive from Tier One and Two donors, and report annually to the jurisdiction they are located in.



### RECORD-KEEPING REQUIREMENTS

Your organization must keep record of the following:

- Name, address, and contact information for each Tier One and Tier Two food donor that your organization collects/receives food from.
- The quantity in pounds of edible food collected/received from each food donor per month.

If your organization transports rescued food to other organizations, you must keep record of the quantity in pounds of edible food transported to each organization per month.

### REPORTING REQUIREMENTS

Your organization must report the total pounds of edible food recovered in the previous calendar year to the jurisdiction where your primary address is located (Jurisdiction staff will reach out to request this information from your organization annually).

### TIMELINE

Starting January 1, 2022, food recovery organizations must comply with the record-keeping and reporting requirements. Food recovery organizations should begin keeping records on Jan 1, 2022 to be prepared when city staff ask for this each summer. (Jurisdictions must report this information to the State in August of each year).

Starting January 1, 2022, jurisdictions will conduct inspections to monitor compliance.

#### NOTE

It is at the discretion of individual food recovery organizations and services to decide if they would like to participate in SB 1383. If a food recovery organization or service is rescuing food from Tier One and Two businesses, then the SB 1383 record-keeping and reporting requirements will apply.